

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	In Chapter 13
MELVIN CHAPPELL JR., AND	:	Bankruptcy No. 19-11245-MDC
CHARLENE GRACE-CHAPPELL	:	
Debtor.	:	

**PHILADELPHIA GAS WORKS' SUPPLEMENTAL OBJECTION TO DEBTORS'**  
**PROPOSED CHAPTER 13 PLAN DATED APRIL 1, 2019**

Philadelphia Gas Works (hereinafter “PGW”) hereby files this Supplemental Objection to its Objection filed on April 16, 2019 objecting to the confirmation of the Debtors’ Proposed Chapter 13 Plan dated April 1, 2019. PGW is a secured creditor. The Municipal Liens were filed by the City of Philadelphia on behalf of the Philadelphia Gas Works for gas service to the property 5011 Saul Street, Philadelphia, PA (the “Property”) pursuant to 53 Pa. C.S.A. §7101 et seq. These liens are statutory liens. PGW filed a Proof of Claim on March 28, 2019 for the amount claimed \$11,310.96 (\$7471.40 is the secured claim amount).

PGW avers the following to supplement its filed objection of April 16, 2019 thereto:

1. On February 28, 2019, the Debtors commenced their bankruptcy proceeding in Chapter 13.
2. On April 2, 2019 the Debtors filed a Proposed Chapter 13 Plan (“Plan”).
3. PGW objects to Debtor’s statement and misinformation of the Philadelphia Gas Works Responsibility Program (“CRP”) Agreement as described in Part 4 Secured Claims, §4 (b),

which lists PGW as a creditor and lists Debtor paying PGW \$92.14 in accordance with CRP Agreement.

4. Debtor, Mr. Chappell had a CRP Agreement under account number 02 1026 3695. This CRP was activated on September 5, 2017 and \$2390.40 was placed in frozen arrears. The debtor/customer then began to be billed monthly \$97.14 (\$92.14 CRP + \$5.00 towards the arrears). The customer/debtor did not recertify providing up to date income, so the CRP suspended on September 5, 2018. There is no active CRP Agreement in place presently due debtor not recertifying.
5. Debtor cannot list the CRP Agreement in Part 4 Secured Claims, §4 (b) because there is no active CRP Agreement. PGW is not receiving *any* CRP payments from Debtor.
6. Counsel for PGW learned that Debtor is in a payment arrangement with PGW, but it is not a CRP Agreement as identified in the Debtors' Proposed Chapter 13 Plan.
7. On June 5, 2019, Debtor entered into a payment agreement with PGW.
8. The terms of this payment agreement stated Debtor put down a down payment of \$137.59 by June 12, 2019. This down payment has been made by Debtor.
9. This payment agreement is for post- petition debt.
10. Debtor pursuant to this payment arrangement pays PGW directly each month.
11. Since there is no existing CRP Agreement, PGW requests that the Plan be amended and that the any reference to the CRP Agreement be removed.
12. PGW requests that the Plan not include any reference to any payment agreement with PGW as it is for post- petition debt and Debtor pays PGW directly.

13. PGW incorporates its objections set forth in its filed April 16, 2019 Objection as though they were set forth at length herein.

WHEREFORE, Philadelphia Gas Works respectfully requests that this Court APPROVE the Debtors' Proposed Chapter 13 Plan **only** if the requested language in Part 4 Secured Claims, §4 (b) is removed in its entirety since there is no CRP Agreement and that the estimated arrearage is updated to reflect the six (6) municipal liens and the estimated arrearage is corrected to the amount of \$7471.40.

Respectfully submitted,

PHILADELPHIA GAS WORKS

Dated: June 19, 2019

Respectfully submitted,

/s/ Pearl Pham

Pearl Pham

Senior Attorney

Philadelphia Gas Works

800 W. Montgomery Avenue

Philadelphia, PA 19122

215-684-6227

215-684-6798 FAX

[pearl.pham@pgworks.com](mailto:pearl.pham@pgworks.com)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

-----X	:	
In re:	:	In Chapter 13
	:	
MELVIN CHAPPELL JR., AND	:	Bankruptcy No. 19-11245
CHARLENE GRACE-CHAPPELL	:	
	:	
Debtor.	:	
	:	
	:	
-----X	:	

**CERTIFICATION OF SERVICE**

I, Pearl Pham, attorney for Philadelphia Gas Works, hereby certify that a true and correct copy of the foregoing Philadelphia Gas Works' Supplemental Objection to Debtors' Proposed Chapter 13 Plan, dated April 1, 2019 was served by the means designated below on the date set forth below, upon all parties including the following:

**VIA ECF**

Roger V. Ashodian, Esq.  
Regional Bankruptcy Center of SE PA  
101 West Chester Pike, Ste. 1A  
Havertown, PA 19083  
(610) 446-6800

*Trustee*  
WILLIAM C. MILLER, Esq.  
Chapter 13 Trustee  
P.O. Box 1229  
Philadelphia, PA 19105  
215-627-1377

*U.S. Trustee*  
United States Trustee  
Office of the U.S. Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107  
(215) 597-4411

Dated: June 19, 2019

/s/ Pearl Pham  
Attorney for Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6227  
[pearl.pham@pgworks.com](mailto:pearl.pham@pgworks.com)

